

Message Text

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ACTION L-03

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CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DLOS-06

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AMEMBASSY LONDON

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AMEMBASSY PARIS

AMCONSUL ISTANBUL

USMISSION NATO

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C O N F I D E N T I A L ATHENS 7381

EO 11652: GDS

TAGS: PFOR PLOS TU GR

SUBJECT: PUBLIC TENSION SUBSIDES OVER AEGEAN ISSUES - POSSIBLE

GREEK OFFER FOR FACE SAVING COMPROMISE?

REF: STATE 180060

1. THE CONFRONTATIONAL PUBLIC ATMOSPHERE PREVAILING IN
ATHENS DURING THE PAST FEW DAYS OVER THE POSSIBLE CONSEQUENCES
RESULTING FROM THE SAILING OF THE SISMIK I HAS DECOMPRESSED
SLIGHTLY. ON ONE HAND, A GOG STATEMENT WAS RELEASED

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WHICH, WHILE ARGUING THE GREEK INTERPRETATION OF ARTICLES

OF THE 1958 GENEVA CONVENTION ON THE CONTINENTAL SHELF, ALLOWED THAT THERE WERE INTERNATIONAL WATERS WHICH COULD BE USED BY ANY STATE FOR PURPOSES OF SCIENTIFIC RESEARCH. THIS STATEMENT COULD BE DESIGNED TO PREPARE GREEK PUBLIC OPINION FOR THE EVENTUAL PRESENCE OF THE SISMIK I IN THE AEGEAN AS WELL AS CONSTITUTING A FACE-SAVING MEASURE FOR BOTH SIDES. AT THE SAME TIME, THE GREEK PRESS, APPARENTLY BACKGROUNDED BY THE GOG AND BASING ITS REPORTING PRIMARILY ON QUIETENING STORIES FROM TURKEY, HAS INTRODUCED A MEASURE OF MODERATION INTO ITS GENERAL COVERAGE OF DEVELOPMENTS RELATED TO THE SISMIK I AND THE AEGEAN.

2. THE GOG STATEMENT, ISSUED JULY 20 AND CARRIED WIDELY IN THE GREEK MEDIA, IS A REASONED PRESENTATION OF THE GOG'S INTERPRETATION OF RELEVANT ARTICLES (TO THE AEGEAN SEA DISPUTE WITH TURKEY) OF THE 1958 GENEVA CONVENTION ON THE CONTINENTAL SHELF. THE GOG POINTS OUT THAT ALTHOUGH GREECE SIGNED THE CONVENTION AND TURKEY DID NOT, A 1969 DECISION BY THE WORLD COURT HELD THAT ARTICLES OF THE CONVENTION CONSTITUTED INTERNATIONAL CUSTOM WHICH WAS BINDING ON ALL NATIONS. AFTER DEFINING WHAT CONSTITUTES THE TERRITORIAL SEA AND THE CONTINENTAL SHELF, AND CITING A PROVISION OF THE GENEVA CONVENTION THAT ISLANDS HAVE THEIR OWN CONTINENTAL SHELVES, THE GOG STATEMENT NOTES THAT THE COASTAL STATE HAS A SOVEREIGN RIGHT OVER THE CONTINENTAL SHELF FOR EXPLORATION AND EXPLOITATION PURPOSES (ARTICLE 2 OF THE CONVENTION). FURTHERMORE, THE SOVEREIGN RIGHT IS "EXCLUSIVE" AND NO OTHER STATE CAN CONDUCT ACTIVITY ON THE CONTINENTAL SHELF WITHOUT THE PERMISSION OF THE COASTAL STATE. THE WATER ABOVE THE CONTINENTAL SHELF, HOWEVER, IS "FREE" FOR VARIOUS ACCEPTED USES (INCLUDING TRANSIT, RESEARCH, FISHING AND THE PLACING OF CABLES). A COASTAL STATE CANNOT IMPEDE THESE LEGITIMATE RIGHTS IN INTERNATIONAL WATERS OF OTHER STATES, CONTINUES THE STATEMENT, AS IT EXPLORES OR EXPLOITS ITS OWN CONTINENTAL SHELF (ARTICLE 5). IN SUM THE STATEMENT ARGUES, THE CONVENTION IS EXPLICIT IN STATING NO OTHER

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STATE HAS THE RIGHT TO CONDUCT EXPLORATION OR EXPLOITATION ON THE CONTINENTAL SHELF OF A COASTAL STATE. HOWEVER, THE GOG STATEMENT CONCEDED, ARTICLE 5, PARA 8 OF THE CONVENTION DOES ALLOW THE COASTAL STATE TO GRANT PERMISSION TO ANOTHER TO CONDUCT "SCIENTIFIC RESEARCH" PROVIDING THAT THE OTHER BODY GUARANTEES THE RESEARCH IS CLEARLY OF A SCIENTIFIC NATURE AND THAT THE RESULTS OF THE RESEARCH WILL BE

PUBLISHED. IN THIS CASE, THE COASTAL STATE HAS THE RIGHT TO PARTICIPATE OR BE REPRESENTED IN SUCH RESEARCH.

3. THE MEDIA, MOST LIKELY BACKGROUNDED BY GOG SOURCES, HAS ADOPTED A NOTICEABLY LESS ANTAGONISTIC ATTITUDE TOWARDS TURKEY IN PRESENTING THE NEWS ON AEGEAN DEVELOPMENTS. THE ALLEGED STATEMENT BY TURKISH MINISTRY OF ENERGY KILIC ALONG THE LINES THAT THE GOT HAD NO "AGGRESSIVE AMBITIONS" IN LAUNCHING ITS SEISMIS RESEARCH PROGRAM WAS PORTRAYED TODAY IN A RELATIVELY POSITIVE FASHION. THERE IS SPECULATION IN THE PRESS THAT THE DEPARTURE OF THE SISMIC I MAY BE FURTHER DELAYED, QUOTING TURKISH COMMUNICATIONS MINISTER AS INDICATING FINAL ADJUSTMENTS TO THE SHIP'S EQUIPMENT ARE STILL BEING MADE. INSTEAD OF REFERENCE TO THE SISMIC I AS PROVOCATIVE AND A CAUSE OF WAR, THE PRESS HAS SHIFTED TO ADDRESSING THE ISSUE AS "DIPLOMATIC MANEUVERS" BY THE GOT AND TURKISH TRICKERY. THE NEWSPAPERS ALSO NOTE THAT THE THREE PARTICULARLY SENSITIVE AREAS OF THE AEGEAN ARE THOSE AROUND LIMNOS, LESBOS, AND RHODES WHERE BOTH NATIONS HAVE GRANTED PROSPECTING LICENSES, PERHAPS SIGNALLING TO TURKS THE AREAS OF PARTICULAR CONCERN TO GREECE.

4. COMMENT: THE CONTENT OF THE GOG'S PUBLIC STATEMENT IS ESSENTIALLY WHAT THE GREEKS (ESPECIALLY AMBASSADOR JOHN TZOUNIS) HAVE BEEN ARGUING IN PRIVATE WITH US AND OTHERS WHO HAVE BEEN URGING RESTRAINT IN THE AEGEAN AREA. GREECE ACKNOWLEDGES THE RIGHT OF TURKEY TO CONDUCT "RESEARCH" ON THE INTERNATIONAL WATERS OF THE AEGEAN, BUT TURKISH ACTIVITY TOUCHING THE CONTINENTAL SHELF IS A MORE SENSITIVE MATTER. GREEK WANTS NO CONFLICT, BUT IN ORDER TO PROTECT HER LEGAL POSITION ON THE

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CONTINENTAL SHELF QUESTION, SHE SEEKS TO ELICIT SOME SORT OF NOTIFICATION FROM THE TURKISH SIDE CONCERNING THE INTENT OF THE GOT WITH REGARD TO THE SISMIC I. THUS THE GOG PUBLIC STATEMENT IS BOTH CONSISTENT WITH THE POSITION THAT GREEK OFFICIALS ARE ARGUING PRIVATELY AND IS ALSO PHRASED TO PERMIT SOME FLEXIBILITY IN GREECES RESPONSE TO THE OPERATIONS OF SISMIC I. THIS AND THE GREEK PRESS REACTION TO THE STATEMENT OFFER SOME ENCOURAGEMENT THAT COOLER HEADS MAY PREVAIL IN THE AEGEAN, ALTHOUGH THE PRESSURES ON THE GREEK GOVERNMENT TO TAKE A MORE MILITANT POSITION ARE STILL VERY STRONG. KUBISCH

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